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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,291	04/14/2005	Michel Banatre	017346-0186	4654
22428 7590 08/05/2008 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				
EXAMINER				
PARK, JEONG S				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/531,291

Applicant(s)

BANATRE ET AL.

Examiner

JEONG S. PARK

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 4/14/2005

DETAILED ACTION

Claim Objections

1. Claims 1-41 are objected to because of the following informalities:

In claim 1, line 1, the word "method" should be corrected as --a method-- for clear understanding of the claim;

In claim 1, line 4, the word "characterised" should be corrected as --characterized--. Similar correction should be made for claims 1-41;

In claim 1, line 11, the phrase "said second" should be corrected as --said secondary-- for clear understanding of the claim;

In claim 2, line 1, the word "method" should be corrected as --the method-- for clear understanding of the claim. Similar correction should be made for claims 3-18;

In claim 19, line 1, the word "device" should be corrected as --a device-- for clear understanding of the claim; and

In claim 20, line 1, the word "device" should be corrected as --the device-- for clear understanding of the claim. Similar correction should be made for claims 21-41.

Appropriate correction is required.

2. Claims 36-41 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9, 14-27 and 32-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (hereinafter Moore)(U.S. Pub. No. 2002/0129170 A1) in view of Van Valkenburg (hereinafter Van)(U.S. Pub. No. 2005/0180343 A1).

Regarding claims 1 and 19, Moore teaches as follows:

a method or a device for managing data between user mobile stations (PAN-enabled device 140 in figure 1) equipped with a communication module (PAN-enabled devices include cellular phones, see, e.g., page 4, paragraph [0031]), stationary terminals (kiosk 100 in figure 1) associated with at least one service (kiosk retrieves the selected electronic services over the communication network, see, e.g., page 2, paragraph [0021]), and a plurality of mobile service means equipped with a communication module and adapted to ensure said service (a plurality of servers 120 in figure 1 provide electronic services to requesting client, see, e.g., page 3, paragraph [0022]), characterized in that it includes the following steps:

by means of a mobile station (PAN-enabled device), a primary request is generated including data defining a request for obtaining a selected service at a terminal (kiosk) installed proximate to said mobile station and associated with said service (the PAN-enabled device identifies the PAN-enabled existing kiosk and queries

the kiosk for available electronic services, see, e.g., page 4, paragraph [0035]);

after receiving said primary request, a secondary request is generated including data defining a request for ensuring the selected, service at said terminal (Kiosk retrieves the requested electronic service from a suitable ASP, see, e.g., page 5, paragraph [0038] and figure 5);

said secondary request is received at the mobile service means (ASP) of said plurality that is closest to said terminal, so that said mobile service means stops at said terminal and provides said service requested by the user of said mobile station (ASP provides the requested electronic service to the PAN-enabled device via the kiosk, see, e.g., page 4, paragraph [0035]); and

connecting multiple devices, each belongs to the different wireless networks, together to allow communication and data exchange (see, e.g., page 4, paragraph [0029]).

Moore does not explicitly teach the retrieving a requested service from mobile service means but service provided with existing communications network (Internet 110 in figure 1).

Van teaches as follows:

a method for network formation, based on relaying an available service to another device, focusing on Bluetooth networking and Personal Area Networking (PAN) profile by extending a provided service to a larger area than one single Bluetooth piconet in forming of multihop networks accessing a certain service (see, e.g., page 1, paragraph [0001]);

several piconets can be established and linked together in ad hoc scatternets to allow communication among continually flexible configurations (see, e.g., page 1, paragraph [0004]);

a step of connecting from first network device (equivalent to applicant's user mobile station) to third network device (equivalent to applicant's mobile service means) by actively searching for third devices by the second device (equivalent to applicant's stationary terminals)(see, e.g., page 2, paragraph [0017]); and

a step of connecting a first piconet (26 in figure 2) and a second piconet (28 in figure 2) together to request and provide a service (see, e.g., page 4, paragraph [0045] and figure 2).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Moore with Van in order to provide the requested service from another piconet by establishing an ad hoc point-to-point connection.

Regarding claim 2, Moore teaches as follows:

said primary request is received at the terminal, by means of a communication module (short-range radio communications system 250 in figure 2, see, e.g., page 3, paragraph [0026]), and said secondary request is generated at said terminal (Kiosk retrieves the requested electronic service from a suitable ASP, see, e.g., page 5, paragraph [0038] and figure 5).

Regarding claims 3, 6, 21 and 24, Moore teaches as follows:

said primary request takes place when the mobile station which generated it is located within the second transmission coverage zone of said terminal (Bluetooth

enabled devices (applicant's terminal, mobile station, mobile service means) which come within range of each other can establish an ad hoc point-to-point connection, see, e.g., page 4, paragraph [0029]).

Regarding claims 4, 7, 22 and 25, Moore teaches as follows:

the generation and reception of primary requests is accomplished by ad hoc exchanges of messages (ad hoc point-to-point connection, see, e.g., page 4, paragraph [0029], lines 1-5).

Regarding claims 5, 8, 23 and 26, it would be obvious to include a spatial value representing the selected service when modify the teaching of Moore in view of Van for the applicant's intended use.

Regarding claims 9 and 27, Moore in view of Van teach all limitations of claim as presented above per claims 1 and 19.

Moore further teaches the kiosk with a host device (equivalent to applicant's server)(see, e.g., page 3, paragraph [0025]).

Regarding claims 14 and 32, Moore teaches as follows:

after receiving said primary request, information is sent to said mobile station (the kiosk transmits the retrieved selected electronic services to the wireless device, see, e.g., page 2, paragraph [0021]).

Regarding claims 15 and 33, Moore teaches as follows:

at least some of said information at least represents the time (interpreted as electronic services providing arriving time from a kiosk used as a bus station information booth) required for said closest mobile service means to arrive at said terminal (the

electronic services include data and applications to requesting clients, see, e.g., page 3, paragraph [0022]).

Regarding claims 16, 17, 34 and 35, it would be obvious to present the electronic service as the form of advertising type or website address (the kiosk can be configured to be utilized in various field, see, e.g., page 5, paragraph [0039]).

Regarding claims 18, 39 and 41, Moore teaches that the kiosk can be configured to be utilized in various field (see, e.g., page 5, paragraph [0039]). It would be obvious to utilize the kiosk as bus station information booth including all the limitations taught by Moore in view of Van.

Regarding claims 20, 36, 38 and 40, Moore teaches that all network devices inherently include communication module and control means (communication system 250, CPU 205 or link controller 275 in figure 2, see, e.g., page 3, paragraph [0025]-[0026]).

Regarding claim 37, Moore teaches that mobile station is chosen from a group including mobile telephones and personal digital assistants (see, e.g., page 4, paragraph [0031]).

5. Claims 10-13 and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (hereinafter Moore)(U.S. Pub. No. 2002/0129170 A1) in view of Van Valkenburg (hereinafter Van)(U.S. Pub. No. 2005/0180343 A1), and further in view of Callaway et al. (hereinafter Callaway)(U.S. Pub. No. 2002/0168943 A1).

Regarding claims 10-13 and 28-31, Moore in view of Van teach all the limitations of claims as presented above per claims 1 and 19 except for determination of the position of the nearest mobile service means.

Callaway teaches as follows:

a technique for intra-piconet location determination using signal strength indicator values in conjunction with transmitted power levels to determine the relative location of each device within a small network by applying in conjunction with the Bluetooth wireless Personal Area Network specification (see, abstract); and

each device in piconet employs the master-slave relationship of the Bluetooth network to determine device location using Received Signal Indicators and power control (see, page 3, paragraph [0037]).

It would be obvious to combine Callaway with Moore in view of Van in order to determine the nearest device based on the measured position of each device in a network taught by Callaway.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./
Examiner, Art Unit 2154

July 31, 2008

/Joseph E. Avellino/
Primary Examiner, Art Unit 2146